## REMARKS

In the aforementioned Office Action, claims 1-38 were examined and rejected. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration of the application.

## Rejection Under 35 U.S.C. §101

In paragraph 2 of the Office Action, claims 1 and 17 were rejected under 35 U.S.C. §101 because the claimed subject mater is merely drawn to a format constituting a data structure. Applicant has amended independent claims 1 and 17 to claim a system for generating the data structure. As such the rejection under 35 U.S.C. §101 is now moot.

## Rejection Under 35 U.S.C. §102

In paragraph 3, claims 1 - 37 were rejected under 35 U.S.C. §102 as being anticipated by *Ginter* (USPN 6,253,193). Applicant respectfully traverses.

Claim 1 recites in part, "a client module configured to generate a header comprising encrypted security information as to who and how a file including the electronic data can be accessed." In embodiments of the present invention, the security information comprise access rules which determine or regulate who and/or how the document can be accessed and a file key to access the document. "The security information is then encrypted by a cipher with a user key associated with an authorized user to produce encrypted security information." See [0052]. "[T]o access a secured document, a user needs a user key or keys to decrypt the encrypted security information or header first. In one embodiment, the key or keys are associated with a user's login to a local server or a central server." See [0059].

In contrast, *Ginter* does not contemplate the use of an encrypted header or security information which contemplates who and how a file can be accessed. Col. 128, ln. 25-40 of *Ginter* refers to "a logical object structure which includes a 'private

body' containing or referencing a set of methods (i.e., programs or procedures) that control use and distribution of the object." This private body, however, is outside of both a "public (or unencrypted) header 802 that identifies the object and may also identify one or more owners of rights in the object..." or a "private (or encrypted) header 804 (which) may include a part or all of the information in the public header and ... will include additional data for validating and identifying the object 300 when a user attempts to register as a user of the object with a server clearing house, VDE administrator, or an SPU 500." (Col. 128, ln. 10-20).

Further, Col. 32, ln. 34-39 of *Ginter* merely discusses how "new control information might specify, for example, who may use at least a portion of the new object, and/or how said at least a portion of said extracted content may be used." This cited portion, however, only refers to how "the extractor of content may add new control methods and/or modify control parameter data, such as VDE (Virtual Distribution Environment) application compliant methods, to the extent allowed by the content's in-place control information." (Col. 32, ln. 30-34). There is no discussion or suggestion that this control information is encrypted or placed into an encrypted header of a secured file in order to control access to the secured file.

As such, *Ginter* does not contemplate "a client module configured to generate a header comprising encrypted security information as to who and how a file including the electronic data can be accessed" as contemplated in claim 1. Therefore claim 1 is not anticipated by *Ginter*. Additionally, because claims 2-16 depend either directly or indirectly from claim 1, these claims are not anticipated for the same reasons as claim 1.

Independent claim 17 recites in part "a client module configured to generate a header including an encrypted file key and a rule block having N encrypted segments, each of the N encrypted segments including a set of access rules facilitating the restricted access to a file including the electronic data." As discussed

above with respect to claim 1, *Ginter* does not discuss or suggest having encrypted security information within the header, whereby the encrypted security information comprises access rules.

Additionally, the cited portion of *Ginter* refers to permission records which "may include key block(s) 810, which may store decryption keys for accessing the content of the encrypted content stored within the object 300." (Col. 128 ln. 45-48). The permission records, however, are not encrypted security information in a header (i.e., the private header in *Ginter*) of a secured file as contemplated by claim 17.

Furthermore, the remainder of the cited portion of *Ginter* refers to the content portion of the object which may be divided into data block. These "[d]ata blocks may contain any sort of electronic information, such as, "content, including computer program, images, sound, VDE administrative information, etc." (Col. 128, ln. 49-53) This content portion is essentially equivalent to the document portion of the present invention. That is the data blocks of this cited portion are part of the document not the "N encrypted segments" of the header as claimed in claim 17. Therefore, claim 17 is not anticipated by *Ginter*. Furthermore, because claims 18-32 depend either directly or indirectly from claim 17, these claims are not anticipated for the same reasons as that of claim 17.

Claim 33 was rejected under 35 U.S.C. §102 for the same reasons as that of claim 1. Amended claim 33 now recites in part "integrating a header comprising encrypted security information with the encrypted data portion to generate a secured file." As discussed above with respect to claim 1, the security information, and thus the header, is encrypted by a cipher with a user key associated with an authorized user to produce encrypted security information. Because *Ginter* does not contemplate having a header comprising the encrypted security information, claim 33 is not anticipated by *Ginter*. Additionally, claims 34-37, which depend either

directly or indirectly from claim 33, are not anticipated for the same reasons as that of claim 33.

## Rejection Under 35 U.S.C. §103

In paragraph 4 of the Office Action, claim 38 was rejected as being unpatentable over *Ginter* in view of *Folmsbee* (USPN 6,308,256). As discussed above with reference to both claims 1 and 33, *Ginter* does not contemplate having a header comprising the encrypted security information. The addition of *Folmsbee* does not cure the deficiencies of *Ginter*. As such, claim 38, which depends from claim 33, is not obvious over *Ginter* in view of *Folmsbee*.

## Conclusion

Based on the above remarks, Applicant believes that the rejections in the Office Action of July 21, 2005 are fully overcome, and that the application is in condition for allowance. If the Examiner has questions regarding the case, the Examiner is invited to contact Applicant's undersigned representative at the number given below.

Respectfully submitted,

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